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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/024,294	12/21/2001	Yasuhiro Matsuura	0020-4944P	3364
2292	7590	07/15/2004	EXAMINER	
BIRCH STEWART KOLASCH & BIRCH PO BOX 747 FALLS CHURCH, VA 22040-0747			KIM, KENNETH S	
		ART UNIT		PAPER NUMBER
		2111		

DATE MAILED: 07/15/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary	Application No.	Applicant(s)
	10/024,294	MATSUURA ET AL.
	Examiner Kenneth S KIM	Art Unit 2111

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

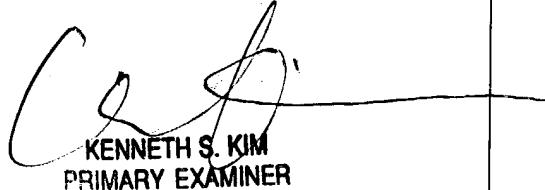
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 21 December 2001.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-7 is/are pending in the application.
 - 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-7 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.



KENNETH S. KIM
PRIMARY EXAMINER

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

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Attachment(s)

1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date <u>12/21/00, 3/21/02</u>	6) <input type="checkbox"/> Other: _____

1. Claims 1-7 are presented for examination.
2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
3. Claims 1-7 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
 - (a) Claim 1, there appears to be a grammatical error in the last paragraph, and it is not clear what is the use of the packet generated by the packet generation means and what is the input to the packet generation means.
 - (b) Claim 1, "performing arithmetic operation according to command information ... based on the packet inputted... and the data flow program " is ambiguous and "the packet inputted from *the outside*" lack antecedent basis.
 - (c) Claim 1, it is not clear what is the use of the destination information.
4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

- (a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.
- (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.
- (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent

granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1 and 3-7 are rejected under 35 U.S.C. 102(b) as being anticipated by Hatakeyama et al, U.S. Patent No. 5,794,065, submitted by the applicant.

Hatakeyama et al. teaches the invention as claimed in claim 1 including a data driven information processor, which has a data storing means (col. 7, line 41), a program storing means (46) for reading a subsequent pair of destination information and command information from a data flow program including a plurality of pairs of destination information and command information and writing them to a packet (col. 7, lines 42-46), a pair data detecting means (48) for uniting data in two packets having the same destination information into one packet (col. 7, lines 47-53) and an arithmetic processing means (50) for performing arithmetic processing according to command information written in the packet and performs information processing based on the packet inputted from the outside and the data flow program (col. 7, lines 53-57), (a) wherein a packet generating means (42) that has an oscillating means and generates a packet at an oscillation rate of the oscillating means is included (col. 7, lines 37-40), and

further teaches as in claims 3-7,

(b) wherein the packet generating means includes a destination setting means for setting the increment value destination information to be written in a generated packet (col. 7, line 40) – claims 3 and 4,

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(c) wherein the packet generating means includes a data setting means for setting a fixed value or a value changed data to be written in a generated packet (col. 7, line 41)

– claims 5 and 6, and

(d) wherein after processing according to the written command information is finished, the packet generated by the packet generating means is eliminated (packet is processed and discarded) – claim 7.

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Shima et al taught a data flow processor introducing timer packet into datapath.

Iwase et al taught a data driven processing converting sampling frequency of input packet.

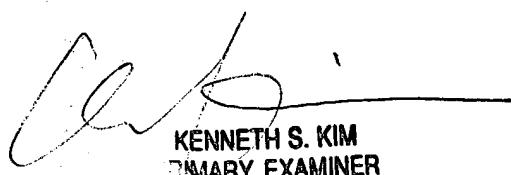
Ishikura et al taught a data driven processing using packet generation at clock rate.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kenneth S KIM whose telephone number is (703) 305-9693. The examiner can normally be reached on M-F (8:30-17:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mark Rinehart can be reached on (703) 305-4815. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9306 for regular communications and (703) 872-9306 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

July 8, 2004



KENNETH S. KIM
PRIMARY EXAMINER